REMARKS

Independent claims 1, 14, 15, 16 and 17 have been amended. New independent claim 41 has been added. Dependent claims 2-8 and 18-24 have been amended. New dependent claims 37-40 have been added. Thus, claims 1-8, 14-26 and 33-41 are presently under consideration.

Generally, the independent claims have been amended to recite building a presentation using pages including a plurality of multimedia content. This may involve, for example, collectively copying multiple items and/or types of media content included in a page in response to user selection input, without requiring the user to individually selecting each media content item and/or type to be included in the presentation. Dependent claims 39 and 40 and independent claim 41 have been added to reflect that the present invention facilitates a user building a presentation which includes a plurality of pages in a specific order. The phrase "concurrent presentation window" in the claims has been simplified to "presentation window".

Application History

Applicant thanks the Examiner for the response to Applicant's Request for Continued Examination filed on September 7, 2004, including the withdrawal of the Examiner's rejections of the then-pending claims on the following bases: 35 U.S.C. 112, double patenting, 35 U.S.C. 102, and 35 U.S.C. 103.

Rejections Under 35 USC 103(a): Gill + Protheroe

The Examiner has rejected claims 1-3, 6-8, 14-19, 22-26, 33 and 35, under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,081,262 to Gill et al. (hereinafter, "Gill et al.") in view of U.S. Patent No. 6,414,686 to Protheroe et al. (hereinafter, "Protheroe et al.").

The requirements for a *prima facie* case of obviousness have been well established by the Court of Appeals for the Federal Circuit, and are concisely

summarized in M.P.E.P. § 2142 and 2143. Three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest <u>all</u> the claim limitations. The teaching or suggestion to make the claimed combination, and the reasonable expectation of success, must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

<u>Claim 1</u>

Applicant's amended claim 1 recites:

> A method of building a presentation, the method comprising:
>
> a)   accessing <u>a page including a plurality of</u> multimedia content from a multimedia source through a multimedia content application;
>
> b)   receiving user selection input while <u>at least some of</u> said <u>plurality of</u> multimedia content is being played by said multimedia content application, to activate a ~~concurrent~~ presentation window and automatically cause said <u>page</u> ~~multimedia content accessed by said multimedia content application~~ to <u>be presented</u> ~~appear~~ in a preview window of said presentation window to identify multimedia content to be included in said presentation; and
>
> c)   copying said <u>page including said plurality of</u> multimedia content ~~displayed in said preview window~~ <u>identified as to be included in said presentation,</u> from said multimedia source to memory, for access by a presentation application.

Gill et al. disclose a multi-media presentation generation system using a multi-media authoring tool extension to a page-based print document layout system, namely, QuarkXPress (col. 1, line 6-9; col. 6, line 22 to col. 8, line 62). Document pages are partitioned by an author into a plurality of static or

dynamic objects. Each such object appears to be independently defined and independently editable by the author using the system.

Protheroe et al. describe a video editing system in which source clips are added to a composed video sequence using a special curved time line.

Neither of these two references disclose systems provide features or advantages such as those disclosed in the applicant's specification. Applicant has disclosed <u>user-friendly</u> means for building a presentation using pages including a <u>plurality</u> of multimedia content. For example, a user may access such pages from a multimedia source through a multimedia content application, and while at least some multimedia content from the pages is being played, the user may provide selection input to identify only desired pages and their associated multimedia content as to be included in the presentation, whereupon each such page and its associated plurality of multimedia content are copied to a memory of the user's computer and are included in the presentation and may be presented at a later date by a presentation application. The order of pages included in the presentation may be specified by the user. (E.g., see applicant's specification at p. 2, lines 15-22; p. 5, lines 17-23; p. 8, lines 14-15.) Applicant's approach to building a presentation is simple and requires <u>minimal expertise and effort</u> on the part of the user. Also, this approach makes it unnecessary for the user to manually define individual multimedia content items to be included in a presentation.

In contrast, the respective systems described by Gill et al. and Protheroe et al. appear to require some expertise and sophistication on the part of the user. For example, QuarkXPress™ (which appears to form the foundation for the multimedia authoring environment described by Gill et al.: col. 6, line 31 to col. 8, line 63), is a sophisticated professional-level document publishing program that is not easily usable by most users unless they receive training and/or study the program extensively. The added complexity of the multimedia extension described by Gill et al. is likely to make QuarkXPress™ even harder to use. Moreover, in the systems of Gill et al. and Protheroe et al., a user

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appears to individually define multimedia content items to be included in a presentation, rather than dealing with a plurality of multimedia items together.

The Examiner has expressed the view (at p. 5, para. 3 of the office action) that Gill et al. disclose copying multimedia content into memory at column 10, lines 11-13, where Gill et al. state: "the author defines a movie object MB into which is imported a movie, which is stored in memory, and obtained from one of the sources named above".

However, Gill et al. fail to disclose "copying said page including said plurality of multimedia content [...] from said multimedia source to memory, for access by a presentation application" as recited in amended claim 1.

Although in the passage cited, Gill et al. refer to importing a movie into a movie object MB, a movie is only one item and one type of media content that is loaded in response to user selection. Although Gill et al. describe a system allowing the construction of a workspace having multiple concurrently active media items and types, it appears that each region or object of the workspace must be defined individually by the user through a set of menus (column 9, lines 1-26). Thus, it appears that the various objects illustrated by Gill et al. in Figure 2—including the movie object MB—are each separate objects which are individually defined and placed by the author using the menu selections that are provided by the multi-media authoring tool A (column 10, lines 17-19).

In contrast, as stated at pp. 8-9 of applicant's specification, applicant has described pages which include a "plurality of multimedia content" (p. 8, lines 14-15). The pages comprise a plurality of multimedia content items which may be of a plurality of media types, such as text content (line 24), image content (lines 15-19), sound content (lines 20-23, 25), or portable document file (PDF) content (p. 9, lines 1-3), for example. For example, a user might use a browser to access a first page including two images, thus causing the browser to play back the two images (i.e., a plurality of multimedia content of one type), or the user might access a second page including one sound

content item, two images, and three text items, thus causing the browser to play back the one sound content item, two images, and three text items (i.e., a plurality of multimedia content of different types). It will be appreciated that a page may include a multimedia content item by defining it within itself or by linking to the multimedia content item at an external location, such as in a file.

At pp. 8-9 of the specification, applicant has described parsing an HTML page for a plurality of distinct items and/or types of multimedia and copying this plurality of multimedia content to memory, for access by a presentation application, in response to user selection input. Because the plurality of multimedia content is copied in response to user selection input, it is unnecessary for the user to select individual ones of said plurality of multimedia content to copy them to memory, as they are all copied together. Advantageously, one-by-one placement and definition of individual media content items is not required, in contrast to the system described by Gill et al.

Accordingly, the Gill et al. reference fails to disclose "copying said page including said plurality of multimedia content [...] from said multimedia source to memory, for access by a presentation application", as recited in claim 1.

The Examiner has suggested at p. 5, para. 2 that the movie box MB may be equivalent to a "presentation window". However, Gill et al. do not appear to disclose a page being presented in the movie box, nor do Gill et al. disclose the page including a plurality of multimedia content as claimed. Moreover, vis-à-vis the movie box, Gill et al. do not appear to disclose a preview window in which the page is presented. For at least these three additional reasons, it appears that Gill et al. fail to disclose "caus[ing] said page [...] to be presented in a preview window of said presentation window", as recited in claim 1.

The Examiner has conceded that Gill et al. "[fail] to disclose selecting multimedia content while it is playing" (p. 5, para. 4 of office action; our emphasis), but has suggested that Protheroe et al. may supply this missing element. In this regard, the Examiner has cited column 1, lines 64-67, where

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Protheroe et al. refer to "viewing or listening to the content of an individual clip and then selecting a portion to be used in the final presentation". However, the cited passage refers to viewing a clip and <u>then</u> selecting a portion of the clip, hence it appears that the user action of "selecting" occurs <u>after</u> the clip has been played, not <u>while</u>. Thus, Protheroe et al. do not appear to disclose or suggest the element of claim 1 which the Examiner has conceded is missing in the Gill et al. reference, namely, "receiving user selection input <u>while</u> said at least some of said [plurality of] multimedia content is being played by said multimedia content application".

In view of the foregoing, applicant respectfully submits that the combination of Gill et al. and Protheroe et al. fails to teach or suggest <u>each and every</u> limitation of claim 1. Consequently, this combination of references fails to meet the legal requirements for a *prima facie* case of obviousness, and therefore the rejection of claim 1 under 35 U.S.C. 103(a) is overcome.

<u>Claims 2-8</u>
Claims 2-8 depend directly or indirectly from claim 1, and therefore the rejection of these claims under 35 USC 103(a) is overcome for reasons including those given above in relation to claim 1, and also due to the additional subject matter that each of these claims recites.

<u>Claim 14</u>
Claim 14 is a computer readable medium claim reciting subject matter similar to that recited in claim 1, and therefore the rejection of claim 14 is overcome for reasons including those given above in relation to claim 1.

<u>Claim 15</u>
Claim 15 is a signal claim reciting subject matter similar to that recited in claim 1, and therefore, the rejection of claim 15 is overcome for reasons including those given above in relation to claim 1.

<u>Claim 16</u>

Claim 16 is a means language claim reciting subject matter similar to that recited in claim 1. Therefore, the rejection of claim 16 is overcome for reasons including those given above in relation to claim 1.

Claim 17

Claim 17 is a generic apparatus claim reciting subject matter similar to that recited in claim 1, and therefore the rejection of claim 17 is overcome for reasons including those given above in relation to claim 1.

Claims 18-26

Claims 18-26 depend directly or indirectly from claim 17, and therefore the rejection of these claims under 35 USC 103(a) is overcome for reasons including those given above in relation to claim 17, and also due to the additional subject matter that each of these claims recite.

Rejections Under 35 USC 103(a): Gill + Protheroe + Fields

The Examiner has rejected claims 4, 5, 20, 21, 34 and 36 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,081,262 to Gill et al. in view of U.S. Patent No. 6,414,686 to Protheroe et al., in further view of U.S. Patent No. 6,128,655 to Fields et al. (hereinafter, "Fields et al.").

Claims 4, 5, 34, 36

Claims 4, 5, 34 and 36 depend indirectly from claim 1, therefore the rejection of claims 4, 5, 34 and 36 under 35 U.S.C. 103(a) is overcome for reasons Including those given above in relation to claim 1, and also due to the additional subject matter that each of these claims recites.

Claims 20-21

Claims 20 and 21 depend indirectly from independent claim 17, therefore the rejection of claims 20 and 21 under 35 U.S.C. 103(a) is overcome for reasons including those given above In relation to claim 17, and also due to the additional subject matter that each of these claims recites.

Applicant therefore submits that the various proposed combinations of the Gill, Protheroe and/or Fields references all fail to meet the legal requirements for a *prima facie* case of obviousness and thus that the rejections for claims 1- 8, 14-26 and 33-36 under 35 U.S.C. 103(a) have been overcome.

Applicant hereby petitions for a one-month extension of time, to April 2, 2004, for responding to the Office Action dated December 2, 2004. Since April 2, 2004 falls on a Saturday, it is understood, pursuant to 37 C.F.R. 1.7, that this response may be filed on the next succeeding business day which is not a Saturday, Sunday, or a Federal holiday—that is, by **April 4, 2005**.

The Commissioner is hereby authorized to charge the one-month extension of time fee of **$120** to Deposit Account No. **06-0713**. In addition, the Commissioner is hereby authorized to charge any other fees that may be required, or to credit any overpayment, to Deposit Account No. 06-0713.

Applicant respectfully requests further favorable consideration of the application.

Respectfully submitted,

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